

## HOUSE BILL NO. 344

INTRODUCED BY N. BIXBY

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT EDUCATION HOURS COUNT TOWARD THE WORK REQUIREMENT FOR THE FAIM PROJECT OR TEMPORARY ASSISTANCE FOR NEEDY FAMILIES; PROVIDING THAT RECIPIENTS WHO FULFILL WORK REQUIREMENTS THROUGH EDUCATIONAL ACTIVITIES QUALIFY FOR CHILD-CARE ASSISTANCE OR OTHER PROGRAMS; EXEMPTING RELATIVES FROM CERTIFICATION FOR BASIC HEALTH AND SAFETY REQUIREMENTS; ALLOWING RELATIVES WHO LIVE IN THE SAME HOUSEHOLD TO RECEIVE PAYMENTS FOR PROVIDING CHILD CARE IF THEY MEET CERTAIN REQUIREMENTS; DEFINING "RELATIVE" FOR THESE PURPOSES; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Education to qualify as work requirement.** An individual who is eligible for the FAIM project or temporary assistance for needy families may substitute education activity hours for work requirements in a family investment agreement in order to receive assistance, to the extent allowed by federal law or a demonstration project. The family investment agreement must clearly state the requirements of the participant in terms of education hours as work requirements. An individual who fulfills a work requirement through education activities is eligible for any child-care assistance or other programs that are available to individuals who are eligible and who meet work requirements.

**NEW SECTION. Section 2. Child-care assistance -- relative provider exempt from certification -- payment allowed for relative resident provider.** (1) Payment may be made for child-care assistance provided by a relative living in the home to a sibling group or to two children from different families if:

- (a) the requirements of subsection (2) are fulfilled;
- (b) the individual is not a parent or a person acting in loco parentis; and
- (c) the individual is not included in the assistance unit.

(2) A relative who provides child care to the child is exempt from certification and the basic health and safety requirements if:

1 (a) the individual submits basic information required for payment;

2 (b) the individual signs a form agreeing to provide for the basic health and safety requirements of  
3 the child; and

4 (c) the parent, guardian, or person acting in loco parentis signs a form waiving the background  
5 check for the relative who will provide the child care.

6 (3) For the purposes of this section, "relative" means a grandparent, great-grandparent, aunt, or  
7 uncle or a sibling who does not reside with the child.

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9 NEW SECTION. **Section 3. Codification instruction.** [Sections 1 and 2] are intended to be codified  
10 as an integral part of Title 53, chapter 4, part 6, and the provisions of Title 53, chapter 4, part 6, apply  
11 to [sections 1 and 2].

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13 NEW SECTION. **Section 4. Effective date.** [This act] is effective July 1, 2001.

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